J KEVIN ELLIS P O BOX 1616 MORGANTOWN, WV 26507-1616

## **DECLARATION OF OIL AND GAS NOTICE**

(Tax Map 3, Liberty District, Marshall County, West Virginia)

The undersigned hereby declares:

- (1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.
- (2) The coal seam(s) or workable coal bed(s) are owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.
- (3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY
CONSOL PENNSYLVANIA COAL COMPANY LLC
RESERVE COAL PROPERTIES COMPANY

CONSOLIDATION COAL COMPANY McELROY COAL COMPANY CNX LAND RESOURCES INC.

C/O LEATHERWOOD, INC. 1000 CONSOL ENERGY DRIVE CANONSBURG, PA 15317-6506

corporate name to be subscribed hereto this A day o	· ·
DENNIS R. McCRACKEN its MSSI. LIANAGE	$\ell^2$ , by authority duly given.

JAN PEST
MARSHALL County 09:26:08 AM
Instrument No 1265728
Date Recorded 03/13/2009
Document Type 0&G
Book-Page 677-602
Recording Fee \$6.00
Additional \$6.00

CONRHEIN COAL COMPANY a Pennsylvania corporation:

ts: ASSISTANT MANA

IN WITNESS WHEREC	F, Consolidation Coal Com	mpany, a Delaware corporation, h	ias caused its
corporate name to be subsc	cribed hereto this $33$ da	lay of <u>JANLIARY</u>	, 2009, by
ROBERT P. KING	VICE PRESIDEN	, by authority duly given.	
	CONSOL	IDATION COAL COMPANY	
	a Delawa	rare corporation:	
	ŀ	By:	
	1	Its: VICE PRESIDENT	
		oal Company LLC, a Delaware limited thereto this 23 day of 3700	
2009, by	NG	<b>ESIDENT</b> , by authority duly given	
		L PENNSYLVANIA COAL COMPANY vare limited liability company:	LLC
		Ву:	
		Its: VICE PRESIDENT	
IN WITNESS WHEREO	F, Reserve Coal Properties	Company, a Delaware corporation	, has caused
	scribed hereto this <u>23</u> day	of JANUARY	_, 2009, by
LLOYD C. PRICE	, its <b>VICE PRESIDE</b>	NT, by authority duly given.	
		VE COAL PROPERTIES COMPANY vare corporation:	7
		By Tayl of me	·
		Its: VICE PRESIDENT	

gmv 677 \*= 604

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware cor	poration, has caused its
corporate name to be subscribed hereto this 15 day of January	, 2009, by
Charles T. Shaynak, its Vice President, by author	ity duly given.
MCELROY COAL COMP	ANY
a Delaware corporation	11
By: Charles	To Hand
Its: <u>Vice</u>	President
IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware co	ornoration, has caused its
corporate name to be subscribed hereto this 23 day of 5AU	
LLOYD C. PRICE , it VICE PRESIDENT , by author	ity duly given.
2,000	INC -
CNX LAND RESOURCES a Delaware corporation	/ /
u belaware est politique	
BV: Jag	d c/mie
Its: VICE P	RECIDENT
	- I DIDENTI
NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPER COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCUNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTIT	TIES COMPANY, CONRHEIN COA ES INC. AS A <u>GRANTOR</u> , AND (2 <u>NAMES</u> LISTED ON THE ATTACHEI
COMMONWEALTH OF PENNSYLVANIA	
COUNTY OF WASHINGTON	
Before me, JANE H. YOUKG	a Notary Public, on this day
personally appeared <b>DENNIS R. McCRACKEN</b> , known to me t	o be the person whose name is
subscribed to the foregoing instrument, and known to be the <u>ASSI</u>	. MAKIA ELOF CONRHEIN COAL
COMPANY, a PENNSYLVANIA corporation, and acknowledged to me for the purposes therein expressed as the act of said company. Given	that he executed said instrument
this $\frac{23}{2009}$ day of $\frac{1}{2009}$ , 2009.	under my hand and sear or office
X X > Y Y	Gurg
COMMONWEALTH OF PENNSYLVANIA Notarial Seal Notarial Seal	
Jane M. Young, Notary Public Cecil Twp., Washington County My Commission Expires June 20, 2009  Member, Pennsylvahia Association of Notaties	

# COUNTY OF WASHINGTON JAKE AL YOUNG a Notary Public, on this day personally appeared ROBERT P. KING , known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 33 day of JANILARY \_\_\_, 2009. COMMOTENEALTH OF PENNSYLVANIA Notarial Seal Jane M. Young, Notary Public Cecil Twp., Washington County My Commission Expires June 20, 2009 Member, Pennsylvania Association of Notaries My Commission expires COMMONWEALTH OF PENNSYLVANIA COUNTY OF WASHINGTON Before me, JAKE H. YCUNG, a Notary Public, on this day personally appeared **ROBERT P. KING**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this ろう day of JAKUARY , 2009. COMMONWEALTH OF PENNSYLVANIA Notarial Seal Jane M. Young, Notary Public Cecil Twp., Washington County My Commission Expires June 20, 2009 Member, Pennsylvahia Association of Notaries My Commission expires COMMONWEALTH OF PENNSYLVANIA COUNTY OF WASHINGTON Before me TAKE LI YOULK , a Notary Public, on this day personally appeared LOYD C. PRICE , known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT OF RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and day of JANUARY seal of office this COMMONWEALTH OF PENNSYLVANIA Notarial Seal (SEAL)M. Young, Notary Public Cecil Twp., Washington County My Commission Expires June 20, 2009 Member, Pennsylvania Association of Notaries My Commission expires

COMMONWEALTH OF PENNSYLVANIA

# 30th 677 767 606

State of West Virginia COMMONWEALTH OF PENNSYLVANIA
COUNTY OF Marshall
Before me, Jayson C. Johnson , a Notary Public, on this day personally appeared Charles T. Shaynak, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Vice President of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company.  Given under my hand and seal of office this day of January , 2009.
OFFICIAL SEAL NOTARY PUBLIC STATE OF WEST VIRGINIA JAYSON C. JOHNSON CNX LAND RESOURCES INC. RD 4 BOX 425 MOUNDSVILLE, WV 26041 My commission expires December 3, 2018 My commission expires December 3, 2018 My Commission expires December 3, 2018
COMMONWEALTH OF PENNSYLVANIA  COUNTY OF WASHINGTON
Before me, JANE H. YOULD, a Notary Public, on this day personally appeared LOYD C. PRICE, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this day of
(SEAL)  COMMONWEALTH OF PENNSYLVANIA  Notarial Seel  Jane M. Young, Notary Public Cecil Twp., Washington County My Commission Expires June 20, 2009  Member, Pennsylvania Association of Notaries  My Commission expires

This Document Prepared By: J. Kevin Ellis WV Bar No. 9964 Steptoe & Johnson PLLC 1085 Van Voorhis Road PO BOX 1616 Morgantown, WV 26507 (304) 598-8000

# Tax Map 3, Liberty District, Marshall County, West Virginia EXHIBIT A - SURFACE TRACTS (McELROY MINE)

		_	_			_	_	+							_	_	_	_			_
3	3	3	3	3	3	3	3			3			3	3	3	3	3	3			Tax Map Parcel
14	13	12	11	10	9	7	6.1			6			5	4	3.1	3	2	1			Parcel
MCELROY CC	MCELROY CC	12 NEELY	1 SHEPHERD	10 MCELROY COAL COMPANY	9 YEATER	DOBBS	6.1 MASON	HAMMERS	MURPHY	6 MASON	HAMMERS	MURPHY	MCELROY CC	4 MCELROY COAL COMPANY	3.1 SCHOENE	3 SCHOENE	2 STERN	MASON	HAMMERS	MURPHY	Last Name
14 MCELROY COAL COMPANY	13 MCELROY COAL COMPANY	ROBERT S ET UX	WILLIAM H & JERRY L	OAL COMPANY	BARBARA L	DONALD B ET UX	ESTHER & JOHN	JACK & PAUL	JOHN D ET UX	ESTHER & JOHN	JACK & PAUL	JOHN D ET UX	5 MCELROY COAL COMPANY	OAL COMPANY	MICHAEL	MICHAEL	GARY ET UX	ESTHER & JOHN	JACK & PAUL	JOHN D ET UX	First Name
1000 CONSOL ENERGY DR   CANONSBURG	1000 CONSOL ENERGY DR	RD 5 BOX 504	RD 5 BOX 512	1000 CONSOL ENERGY DR	RR 5 BOX 508	PO BOX 53			-				1000 CONSOL ENERGY DR	1000 CONSOL ENERGY DR	RR5 BOX 628 B	RR 5 BOX 628 B	RD 5 BOX 628				Street Address
CANONSBURG	CANONSBURG	CAMERON	CAMERON	CANONSBURG	CAMERON	CAMERON							CANONSBURG	CANONSBURG	CAMERON	CAMERON	CAMERON				City
PA	PA	WV	WV	PA	WV	WV							PA	PA	WV	WV	WV				State
15317	15317	26033	26033	15317	26033	26033							15317	15317	26033	26033	26033				Zip
101.384 A BIG RUN	105 ACRES BIG RUN SURFACE	35.845 A BIG RUN	151 1/2 N CAMERON	63.09 N CAMERON & BIG RUN	57.027 N CAMERON & BIG RUN	16.91 NEAR CAMERON	8.350 A CAMERON RIDGE			93.036 CAMERON RIDGE			5 SQUIRREL ALLEY	7.05 ACRES SQUIRREL ALLEY 1975 MOBILE	5.056 A SQUIRRELL ALLEY	50.414 A SQUIRRELL ALLEY	22 CAMERON RIDGE	142 CAMERON RIDGE			Assessment Description
672/229	670/332	595/58	627/511	662/379	WB41/457	544/187	WB48/96			WB48/96			671/528	671/528	727/94	617/609	603/464	WB48/96			Reference

### STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 2311 day of January 2009 was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 1371 day of March 2007 at 9.7 to o'clock? M.

CPS 5M 12-08